



## *Florida Department of Transportation*

**RICK SCOTT**  
GOVERNOR

801 North Broadway Avenue  
Bartow, Florida 33830

**JIM BOXOLD**  
SECRETARY

Monday, March 14, 2016

### **CANCELLATION OF AWARD**

**E Mail DELIVERY to: [thunderhole4835@aol.com](mailto:thunderhole4835@aol.com)**  
**RECEIPT REQUESTED**

Re: Financial Project Number: 432727-1-72-20  
District Contract No: E1P37-R0  
County (ies): Polk  
Description: The improvements under this contract consist of Outfall Ditch Repair.

Dear Sir/Madam:

With this notice the Department of Transportation, District One, hereby informs you of the cancellation of the original intent to award notice for contract E1P37-R0 to Thunderhole. Inc.

You are also hereby notified that the Department has elected to award to the second bidder F.W.A.K., Inc. The posting period for this notification shall begin at 5:00 P.M., March 14, 2016 and shall end at 5:00 P.M., March 17, 2016.

Any person adversely affected by the intended decision of the Department to award a contract or to reject all bids shall file both a notice of protest and bond within 72 hours after the posting of the Summary of Bids. If notice of intended decision is given by certified mail or express delivery, the adversely affected person must file both the notice of protest and bond within 72 hours after receipt of the notice of intent. A formal written protest must be filed within ten days after filing the notice of protest. The formal written protest shall state with particularity the facts and law upon which the protest is based. Any person who files a notice of protest as to notice of intent to reject all bids or to award a contract pursuant to this section shall post with the Department, at the time of filing the notice of protest, a bond payable to the Department in the following amounts: For an action protesting a bid rejection or contract award that requires qualification of bidders, the bond shall be equal to one percent of the lowest bid submitted or \$5,000, whichever is greater. For an action protesting a bid solicitation, bid rejection, or contract award that does not require qualification of bidders, the bond shall be \$2,500. All protests must be submitted in accordance with Section 337.11, Florida Statutes and DOT Rule 14-25. The required notice of protest, the bond and formal protest must each be timely filed with the Clerk of Agency Proceedings, Florida Department of Transportation, 605 Suwannee Street, mail Station 58, Room 562, Tallahassee, Florida 32399-0458. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.

A protest is not timely filed unless the notice of protest, bond, and the formal protest are each received by the Clerk of Agency Proceedings within the required time limits. A protest which is filed prematurely will be deemed abandoned unless timely renewed.

Please acknowledge receipt of this notice by completing the portion below and email to [D1-Contracts@dot.state.fl.us](mailto:D1-Contracts@dot.state.fl.us)

\_\_\_\_\_  
Company

\_\_\_\_\_  
Date

\_\_\_\_\_  
Company Representative

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Company

\_\_\_\_\_  
Date

\_\_\_\_\_  
Company Representative

\_\_\_\_\_  
Print Name